



09-16-02

1638

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Richardson et al.

: Group Art Unit: 1638

Serial No.: 10/089,364

: Examiner: not assigned

Filed: July 9, 2002

: Confirmation No.: 7785

For: EXPRESSION OF PHYTASE IN PLANTS AS A METHOD OF MODIFYING PLANT  
PRODUCTIVITY

## INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The Examiner is respectfully requested to consider the references, which may qualify as prior art and are listed on the attached Patent and Trademark Office Form PTO-1449.

This information is cited in a spirit of forthrightness and cooperation to enable the applicants to obtain that measure of protection for the invention to which there is entitlement. However, no representation is made that the listed art actually qualifies as prior art under the patent statute and the mere use of PTO-1449 is not an admission that all listed references are prior art. No representation is made that applicants know of the best art.

It is believed that this submission does not require the payment of any fees. If this is incorrect, however, please charge any requisite fees to Deposit Account No. 07-1969.

Respectfully submitted,

Heeja Yoo-Warren

Reg. No. 45,495

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Attorney docket No. 37-02  
nm: September 12, 2002

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for Express Mail in an envelope addressed to: The Assistant Commissioner for Patents, Washington DC 20231	
September 12, 2002 Date	 Nina Norman
EL 946697503 US Express Mail Tracking Number	



Form PTO 1449		
ATTY DOCKET NO. 37-02	SERIAL NO. 10/089,364	FILING DATE July 9, 2002
APPLICANT Richardson et al.		GROUP 1638

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## U.S. PATENT DOCUMENTS

Exmr Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1	5,593,963	1/14/1997	Van Ooijen, A.J.J. et al.			
	2	5,780,292	7/14/1998	Nevalainen, H.K.M. et al.			
	3	5,900,525 A	5/4/1999	Austin-Phillips, S. et al.			

## FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation Yes/No

## OTHER PRIOR ART (including Author, Title, Date, Pertinent Pages, etc.)

	4		Nagashima, T. et al. (January 1999) "Phytase having high affinity for phytic acid" GenPept Accession No. BAA74433
	5		Ullah, A.H.J. et al. (1999) "Characterization of recombinant fungal phytase ( <i>phyA</i> ) expressed in tobacco leaves" <i>Biochem. Biophys. Res. Comm.</i> 264:201-206.

EXAMINER	DATE CONSIDERED
<b>*EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	